



OFFICE OF THE CORPORATION COUNSEL

September 30, 2011

Marlene Dortch
Office of the Secretary
Federal Communications Commission
455 12th Street SW
Washington, DC 20554

filed electronically

Re: PCIA Comments – WC Docket No. 11-59

Dear Ms. Dortch:

I am the Corporation Counsel for the City of Peoria, Illinois. I have been advised that Peoria, Illinois has been included in the comments from the PCIA, The Wireless Infrastructure Association, as a community which has hired a problematic consultant and which requires a fee to cover the costs of the consultant.

Since adopting our ordinance in March 2010 and revising it in response to comments from AT&T and other wireless companies in November 2010, the City of Peoria has had one application for a tower site. That site was applied for on June 30, 2011 and final approval was granted on September 27, 2011. No other tower applications have come forward between March 2010 and the present. Furthermore, the June 30 application was not complete and, in response to City staff pointing out the incompleteness, the applicant submitted additional materials and the application did not become complete until August 2011.

The City of Peoria believes that it is reasonable for profit-making entities who impact the community with a cell tower to provide a modest sum so that the municipality can retain a consultant to review their application. We see this as another area where a "level playing field" is desirable. The impetus for the City's hiring of consultants came from comments from our Zoning Commission who felt that they were being provided with technical information by the applicant with no way of analyzing or verifying the information.

The siting of a cell tower is not the same as the granting of a building permit and it is incorrect to compare the process or the cost of obtaining a building permit to cell tower siting approval. We believe that the City of Peoria has demonstrated that neither hiring a consultant nor requiring the payment of a modest fee to cover the cost of the consultant (\$8,500 or less) has been a barrier to the siting of cell towers in our City.

Sincerely,

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